

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NORTH DAKOTA

In re:	)	Case No. 23-30352
	)	(Chapter 11)
DRAIN SERVICES INC.	)	
	)	
Debtor.	)	
_____	)	
	)	
DRAIN SERVICES INC.,	)	
	)	Adversary Case No. 23-07017
Plaintiff,	)	
	)	
v.	)	
	)	
MICHAEL HOUDYSHELL, in his	)	
official capacity as the Secretary of the	)	
South Dakota Department of Revenue, <i>et al.</i>	)	
	)	
Defendants.	)	

**AFFIDAVIT OF SERVICE**

I HEREBY CERTIFY that on this 2<sup>nd</sup> day of January, 2024, I caused a copy of (i) the Complaint for Declaratory and Injunctive Relief (DE #1); and (ii) the Summons in an Adversary Proceeding (DE #2) to be served, via first class mail, postage prepaid, upon:

Office of the Attorney General  
1302 E Hwy 14  
Suite 1  
Pierre SD 57501

Sec. Michael Houdyshell  
South Dakota Department of Revenue  
445 E Capitol Avenue  
Pierre, SD 57501

Gov. Kristi Noem  
500 East Capitol Avenue  
Pierre, SD 57501

Pursuant to Federal Rule of Civil Procedure 4(j)(2)(A), I reasonably construe Gov. Kristi Noem to be the “chief executive officer” of the State of South Dakota and, as such, the proper person to be served with the foregoing documents on behalf of the State of South Dakota. While service was *not* made pursuant to Section 15-6-4(d) of the South Dakota Codified Laws, pursuant to Federal Rule of Civil Procedure 4(j)(2)(B), a copy was nonetheless also sent to the Office of the Attorney General of South Dakota, with designs of ensuring service is not merely technically proper but, too, substantively aimed at affording notice of this proceeding.

Respectfully submitted,

Dated: January 2, 2024

By: /s/ Maurice B. VerStandig  
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